

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ALEXANDER LEVIN, M.D.,

Plaintiff,

-against-

ACTION FUNDING, INC., AND DEAN G. WEBER,

Defendants.  
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**ORDER PURSUANT TO RULES 37(A)(2)(a) AND (b)(2)(D) OF THE FEDERAL RULES  
OF CIVIL PROCEDURE COMPELLING THE DEFENDANTS TO COMPLY WITH  
DISCOVERY DEMANDS AND FOR OTHER RELATED RELIEF**

UPON the annexed application ("Application") of ALEXANDER LEVIN, M.D., the Plaintiff, by his attorneys the Law Offices of Avrum J. Rosen, seeking an order pursuant to Rules 37(a)(2)(A) and (b)(2)(D) for the following: (1) compelling the Dean G. Weber to comply with Plaintiff's Notice of Discovery and Inspection by a date certain and to submit to the examination by a date certain, (2) scheduling a hearing to hold Dean G. Weber in civil contempt of court upon the filing of an affirmation of non-compliance by Plaintiff's counsel; and it appearing that notice of said application having been served upon the Defendants and Defendants' attorneys; and there being no written opposition to said application; and the matter having been presented to the Court on August 2, 2004; and no one having filed opposition to the motion; good and sufficient cause appearing therefore, it is

RECEIVED  
IN CHAMBERS OF  
HON. JOANNA SEYBERT  
★ JUL 18 2004 ★

CV No. 01-1028 (JS)

RECEIVED  
In chambers of  
U.S. Magistrate Judge  
E. Thomas Boyle  
JUL 21 2004

c/f

without any opposition,

ORDERED, that Dean G. Weber is compelled to comply with Plaintiff's Notice of Discovery and Inspection by 8/18/04 and to submit to the examination by 8/30/04; and it is further

~~ORDERED, that this Court will schedule a hearing to hold Dean G. Weber in civil contempt of court upon the filing of an affirmation of non-compliance by Plaintiff's counsel.~~

Dated: Central Islip, New York  
August 6, 2004

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**NOTICE OF MOTION AND AFFIRMATION**

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LAW OFFICES OF  
AVRUM J. ROSEN  
ATTORNEYS AT LAW

ATTORNEYS FOR PLAINTIFF

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